

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARIA ELENA GARCIA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

Case No. 1:21-cv-01043-ADA-HBK

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, GRANTING  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT, DENYING DEFENDANT'S  
CROSS-MOTION FOR SUMMARY  
JUDGMENT, AND REMANDING THE  
CASE TO THE COMMISSIONER OF  
SOCIAL SECURITY

(ECF Nos. 18, 19, 20)

Plaintiff Maria Elena Garcia ("Plaintiff") initiated this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for supplemental security income and disability insurance benefits under the Social Security Act. (ECF No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 27, 2022, Plaintiff filed a motion for summary judgment, (ECF No. 18), and on November 14, 2022, Defendant filed a cross-motion for summary judgment, (ECF No. 19). On June 29, 2023, the assigned Magistrate Judge issued findings and recommendations, recommending that the Court grant Plaintiff's motion for summary judgment, deny Defendant's cross-motion for summary judgment, and remand the case for further administrative proceedings. (ECF No. 20.) The findings and recommendations contained notice that any objections thereto were due within

1 fourteen days after service. (*Id.* at 13.) No objections have been filed, and the deadline for doing  
2 so has passed.

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the Court has conducted a  
4 *de novo* review of this case. Having carefully reviewed the entire file, the Court concludes that the  
5 Magistrate Judge's findings and recommendations are supported by the record and proper analysis.

6 Accordingly,

- 7 1. The findings and recommendations issued on June 29, 2023, (ECF No. 20), are  
8 ADOPTED in FULL;
- 9 2. Plaintiff's Motion for Summary Judgment, (ECF No. 18), is GRANTED;
- 10 3. Defendant's Cross-Motion for Summary Judgment, (ECF No. 19), is DENIED;
- 11 4. Pursuant to sentence four of 42 U.S.C. § 405(g), the Court REVERSES the  
12 Commissioner's decision and REMANDS this case back to the Commissioner of Social  
13 Security for further proceedings consistent with this Order; and
- 14 5. The Clerk shall enter judgment in favor of Plaintiff, terminate any deadlines, and  
15 CLOSE this case.

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18 IT IS SO ORDERED.

19 Dated: August 8, 2023

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UNITED STATES DISTRICT JUDGE